THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23347 of 2005

26-10-2005

Between:

P.K.Gangadharam, S/o.Narayana Kurup,
D.No.1101603, Beside Sudhakar Hotel, Radham Center, K.G.Market, Vijayawada

..... PETITIONER

AND

1. The Superintending Engineer, Operation Circle A.P.Southern Power

Distribution Co.Ltd., Vijayawada.
2 The Divisional Engineer, Assessment Division, A.P.Southern Power

Distribution Co.Ltd., Near PWd Gounds, Vijayawada.
3 The Assistant Divisional Engineer A.P.Southern Power Distribution Co.Ltd., Distribution-I Vijayawada.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 23347 of 2005

O R D E R:

The petitioner questions the proceedings No. SE/A/TPT/FAO/DVJA/2(A)/7.05 dated 10-08-2005 issued by the 2nd respondent confirming the final order of assessment No.4109 dated 31.07.2004 and demanding to pay a total sum of Rs.42,493/- for pilferage of energy.

It is stated that after deducting the amounts already paid, the net amount payable by the petitioner was Rs.19,968/-. The 1st respondent-Superintendent

Engineer by his proceedings in letter No. SE/O/VJA/SAO/AO®R3/A1/D.No.1496/05 dated 26-09-2005 granted permission to the petitioner to pay the said amount in four equal instalments in the following manner.

No. of Instalments Amount Rs. Due date to be paid

1st Instalment Rs.4,992.00 01-10-05

2nd Instalment Rs.4,992.00 26-10-05

3rd Instalment Rs. 4,992.00 26-11-05

4th Instalment Rs. 4,992.00 26-12-05

Rs.19,968.00

It is stated that the petitioner paid the 1st instalment on 01-10-2005. Thereafter, he suffered from one side paralysis (right side). Therefore, he has not paid the remaining instalments within the time stipulated.

Having regard to the facts and circumstances and taking into consideration the ill-health of the petitioner, I am of the considered view that the time for payment of 2 to 4 instalments stipulated as aforesaid may be extended by one month each.

Accordingly, the writ petition is disposed of and the time for payment of 2 to 4 instalments is extended by one month to each instalment viz., the petitioner is directed to pay the 2nd instalment by 26-11-2005, 3rd instalment by 26-12-2005 and 4th instalment by 26-1-2006. However, as the petitioner has already paid the 1st instalment, the respondents are directed not to disconnect the service connection of the petitioner. In case, if the petitioner commits default in payment of 2 to 4 instalments within the time stipulated above, it is open for the respondents to disconnect the same after following due process of law. No costs.

26-10-2005

Mjl/*